

EXHIBIT 1

E-Mail Between Counsel re Defendant's Representation that
they are Withdrawing the Motion to Dismiss

Brian Pastor

From: Jeff Horst <horst@khlawfirm.com>
Sent: Wednesday, May 28, 2025 5:57 PM
To: Brian Pastor
Cc: Jeff Sonn; Ross Good; Shawn Good; Nick Settles; Sada J. Baby; Daniella P. Stucchi
Subject: RE: Amended Complaint and Motion to Dismiss - 25-cv-01058-VMC - Defendants standing by previously filed motion or re-filing

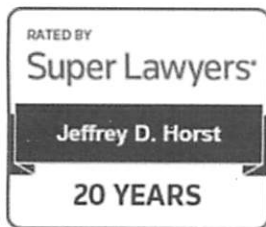
We will refile the MTD and withdraw the original one.



KREVOLIN | HORST

Jeffrey D. Horst
 Trial & Appellate Litigation/Corporate Governance/Crisis Management
 Tel: 404-888-9594
 Email: horst@khlawfirm.com

www.khlawfirm.com | [v-Card](#) | [LinkedIn](#)



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From: Brian Pastor <bpastor@sonnlaw.com>
Sent: Wednesday, May 28, 2025 12:00 PM
To: Jeff Horst <horst@khlawfirm.com>
Cc: Jeff Sonn <jsonn@sonnlaw.com>; Ross Good <ross@thegoodlawgroup.com>; Shawn Good <shawn@thegoodlawgroup.com>; Nick Settles <nick@thegoodlawgroup.com>; Sada J. Baby <baby@khlawfirm.com>; Daniella P. Stucchi <daniella@khlawfirm.com>; Brian Pastor <bpastor@sonnlaw.com>
Subject: Amended Complaint and Motion to Dismiss - 25-cv-01058-VMC - Defendants standing by previously filed motion or re-filing
Importance: High

May 28, 2025

Jeff:

Yesterday, Plaintiff filed an Amended Complaint which is identical to the original complaint except for the addition of Exhibit L (Certification of Brian Hauger).

Please advise whether Defendants intend to stand on the previously filed Motion to Dismiss, or intend to withdraw the motion and file a renewed motion in response to the Amended Complaint.

*Because our response to Defendants' MTD is due on 06/02 – your response today would be appreciated.

Regards,

Brian

Brian B. Pastor, Esq.

Partner

Sonn Law Group PA
Pinnacle Bldg., Ste. 500
3455 Peachtree Rd. NE
Atlanta, GA 30326
bpastor@sonnlaw.com
M. 404-914-2200

Sonn Law Group PA
One Turnberry Place, Suite 607
19495 Biscayne Blvd.
Aventura, FL 33180
www.sonnlaw.com
T. 305-912-3000 (Ext.538)

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